



Energy and Telecommunications Interim Committee

61st Montana Legislature

SENATE MEMBERS

JERRY BLACK--Vice Chair
RON ERICKSON
VERDELL JACKSON
CLIFF LARSEN

HOUSE MEMBERS

ROBYN DRISCOLL--Chair
DUANE ANKNEY
TONY BELCOURT
HARRY KLOCK

COMMITTEE STAFF

SONJA NOWAKOWSKI, Research Analyst
TODD EVERTS, Staff Attorney
DAWN FIELD, Secretary

MINUTES

July 28, 2010

Room 172, State Capitol
Helena, Montana

Please note: These are summary minutes. Testimony and discussion are paraphrased and condensed. Committee tapes are on file in the offices of the Legislative Services Division. **Exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.**

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. The minutes are accompanied by an audio recording. For each action listed, the minutes indicate the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time may be used to locate the activity on the audio recording.

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To view the minutes, locate the meeting date and click on minutes. To hear the audio recording, click on the Real Player icon. Note: You must have Real Player to listen to the audio recording.

COMMITTEE MEMBERS PRESENT

REP. ROBYN DRISCOLL, Chair
SEN. JERRY BLACK, Vice Chair

SEN. RON ERICKSON
SEN. VERDELL JACKSON
SEN. CLIFF LARSEN

REP. DUANE ANKNEY
REP. HARRY KLOCK

COMMITTEE MEMBERS EXCUSED

REP. TONY BELCOURT

STAFF PRESENT

SONJA NOWAKOWSKI, Research Analyst
TODD EVERTS, Staff Attorney
DAWN FIELD, Secretary

AGENDA & VISITORS' LIST

Agenda, Attachment #1.
Visitors' list, Attachment #2.

COMMITTEE ACTION

The Energy and Telecommunications Interim Committee:

- approved the May 13, 2010, meeting minutes;
- segregated the PSC's legislative proposal to revise 69-3-603(2) and approved the remaining six proposals for drafting; and
- approved for further consideration a bill draft to extend the sunset for wireless 9-1-1 funding (LC6000).

CALL TO ORDER AND ROLL CALL

00:00:02 REP. DRISCOLL called the meeting to order at 8:00 a.m. The Secretary took roll, REP. BELCOURT was excused (Attachment 3).

UPDATE ON TELECOMMUNICATIONS ACTIVITY IN MONTANA

■ **AT& T and Alltel**

00:00:44 **Adam Gryzbicki, President of AT&T, Montana**, updated the Energy and Telecommunications Interim Committee (ETIC) on AT&T's purchase of Alltel (**EXHIBIT 1**).

■ **Qwest and CenturyLink**

00:09:39 **Dave Gibson, Qwest Communications**, discussed an overview of the pending merger between Qwest Communications and CenturyLink. Mr. Gibson distributed two maps illustrating network capabilities after the merger (**EXHIBIT 2**) and a paper copy of his remarks (**EXHIBIT 3**).

■ **Bresnan and Cablevision**

00:21:56 **Sean Beqaj, President, Bresnan Communications**, reported on the merger between Bresnan Communications and Cablevision, saying the merger will not impact competitiveness or customer service in any way.

00:29:50 **Sean O'Donnell, Senior Vice President, Bresnan Communications**, said the impact on customers will be positive and will include increased high definition (HD) offerings and increased high speed internet capability. He said the additional investment will allow Bresnan to continue to build its network and services and to continue to be a major employer in Montana.

■ **Verizon**

00:32:03 **Aimee Grmoljez, Verizon Wireless**, discussed a summary of Verizon's Montana operations (**EXHIBIT 4**) and news release announcing recent technology applications to expand cellular phone capabilities (**EXHIBIT 5**). Ms. Grmoljez said that Verizon supports a statewide hands-free law because city ordinances can be confusing for customers. She noted that Billings and Missoula have both passed such ordinances.

■ **Montana Independent Telecommunications Systems (MITS)**

00:39:38 **Bonnie Lorang, General Manager, MITS**, updated the ETIC on Montana's rural telecommunication providers and services available to consumers. Ms. Lorang discussed a map illustrating the service areas of Montana's rural telecommunication providers (**EXHIBIT 6**), a density map and how population

density affects telecommunications services (**EXHIBIT 7**). Her overview also included PowerPoint presentation slides (**EXHIBIT 8**).

■ **Montana Telecommunications Association (MTA)**

01:01:41 **Geoff Feiss, General Manager, Montana Telecommunications Association (MTA)**, discussed the proposed national broadband plan as mandated by the American Reinvest and Recovery Act of 2008 (ARRA) and the MTA's concerns about Federal Communications Commission (FCC) rulemaking that will harm rural broadband investment. Mr. Feiss referred to PowerPoint slides as part of his presentation (**EXHIBIT 9**). Mr. Feiss asked the ETIC to consider writing a letter to the FCC on behalf of Montana's rural broadband providers to request that it significantly revise its universal service benefits (USB) rulemaking in order to fully meet the requirements of federal statute for comparable service and predictable, sustainable, and sufficient, support to maintain investment in rural America.

Public comment

There was no public comment given.

Committee questions

01:32:07 SEN. JACKSON said that competition is always a concern and asked how Montana consumers will be impacted by the mergers. Mr. Gryzbicki explained how AT&T will communicate with its customers throughout the merger process and said he thought that competition would remain robust and that the merger would prove to be cost neutral or even a cost savings.

01:36:02 SEN. JACKSON asked Mr. Feiss to elaborate on what needs to be done to deal with the FCC's proposed rules. Mr. Feiss said a quick and easy solution would be to expand the base of telecommunications traffic assessed for universal services purposes. He explained the implications of such an expansion. He said other options have been provided to the FCC also, for example, to have telecommunications companies file for USB support based on their costs.

01:39:25 SEN. JACKSON said that his bundled services cost about \$100 per month and wondered how or if his service will be affected. Mr. Feiss explained how services are assessed and said that as the assessment rate increases, the pressure for USB reform has increased.

01:41:03 SEN. ERICKSON said that he agreed with Mr. Feiss' concern but that he was not clear on what exactly Mr. Feiss was proposing. Mr. Feiss said that the base could be broadened to include internet-based voice communications in the traditional voice network and be considered a universal service assessable for universal service purposes.

01:45:23 SEN. BLACK asked how soon the FCC is expected to act. Mr. Feiss said the FCC would like to conclude its universal service rulemaking by the end of the year. REP. DRISCOLL asked the members to think about whether the letter should be from individual legislators or from the committee as a whole. She asked Mr. Feiss to leave his contact information.

01:46:13 **BREAK** until 10:10 a.m.

02:08:36 **Lee Heiman, acting Code Commissioner, LSD**, introduced Robert Stutz as LSD's new Legal Director. The ETIC welcomed Mr. Stutz.

INTEROPERABILITY

02:11:02 **Kevin Bruski, Executive Director, Interoperability Montana (IM)**, explained the public safety benefits of interoperability capability. He said he is hoping for an interim committee study, which would include a budget request for a stable and continuing stream of funding and would also explore how to move interoperability into state statute.

02:13:34 **Ian Marquand, Public Affairs Officer, Interoperability Montana project**, discussed a PowerPoint presentation that fully explained what interoperability is, key elements of the plan, the significant public safety benefits of the plan, and other details of the project (**EXHIBIT 10**).

Public Comment

No public comment was given.

Committee Questions

02:29:52 SEN. ERICKSON asked what future staffing needs would IM have. Mr. Bruski said that the number of staff needed by completion of the project would be approximately 17-18 FTEs.

02:32:14 SEN. ERICKSON asked if counties are supporting the IM project, particularly funding. Mr. Bruski said that it varies and that local jurisdictions don't have the funding or resources to provide full support, which is why he is pursuing state and federal funding streams.

02:35:26 SEN. BLACK asked what the long range cost projections are. Mr. Bruski said that IM has a completed project budget of \$5.7 million annually and that he is working with the Montana Department of Transportation (MDT) and the Montana Highway Patrol (MHP) to see if either would be willing to take the program on. He said that user fees, if selected, would pay about 15-25 % of the overall budget.

02:37:02 SEN. BLACK and Mr. Bruski discussed the operational aspects of the system and how traffic would be regulated in order to avoid overwhelming the system. Mr Marquand provided additional details on how instruction would be given to the different responders from incident commanders.

02:41:43 SEN. BLACK asked how many tower sites would be needed statewide and if there is sharing capability with existing towers. Mr. Marquand said that the project has planned for 120 sites to provide appropriate coverage for all primary highways in Montana, including interstates. He also explained how urban areas would be handled and said that IM will work with other entities where possible. Mr. Bruski said that IM is working closely with telecommunication providers on how to share facilities.

- 02:45:02 REP. DRISCOLL asked how many other states have statewide, versus county, interoperability programs. Mr. Bruski said that many other states are in the process of developing statewide communication systems for first responders. REP. DRISCOLL asked how interoperability programs are funded in other states. Mr. Bruski said that a small survey of about 13 states indicates that about one-third of the interoperability systems are totally funded and controlled by state legislatures and that the other two-thirds are funded by user fees. He noted that if Montana chose to operate through user fees alone, a single radio for one officer for one year would cost approximately \$480 annually and that there are about 25,000 officers with radios in the state. He said that the IM proposal has not finalized a dollar amount yet but projects a user fee of about \$200 per user. Mr. Bruski said Rep. Edith McClafferty, HD 75, Butte has agreed to sponsor a study resolution in the 2011 Legislature.
- 02:48:43 SEN. ERICKSON discussed potential funding sources, such as the property tax. He asked how much one mill raises. Mr. Marquand said statewide property tax has not been discussed but that the gasoline tax has, as well as taxes or fees for different products or services related to public service response. He said a number of options have been considered but that funding needs to be as broad based as possible, in order to be fair to all taxpayers. He offered to update the ETIC at a future meeting. He said, regarding user fees, that under the IM business plan, it is anticipated that IM would reimburse counties for maintenance at local sites.
- 02:52:09 REP. DRISCOLL asked Mr. Marquand to email Ms. Nowakowski with the results of the Billings meeting. Mr. Marquand said he would provide summaries of all future meetings.
- 02:53:35 In response to SEN. ERICKSON's question, Ms. Nowakowski said that one mill would raise \$2.1 million.

ADMINISTRATIVE MATTERS

■ Approval of May 13, 2010 meeting minutes

- 02:54:22 REP. KLOCK moved to approve the May 13, 2010, meeting minutes, as written. The motion passed on unanimous voice vote.

■ Budget review

- 02:54:45 Ms. Nowakowski reviewed ETIC's budget. She reported that the Committee may fall short and have to request additional funding for the final meeting. She said she would have a clearer picture after this meeting was paid for and would work with the Chair and Vice Chair, as well as the Executive Director, should additional funding be needed. She noted that if funding was not granted, the ETIC may have to consider a teleconference meeting as its final meeting.

■ Update on Administrative Rules

- 02:56:42 Todd Everts, Staff Attorney, LSD, said that there were no proposed administrative rules to report on.

UPDATE ON 9-1-1 ADVISORY COUNCIL

02:59:21 **Becky Berger, 9-1-1 Program Manager**, updated the ETIC on the status of 9-1-1 in Montana. She discussed a map that illustrated which counties have E9-1-1, wireless 9-1-1, and/or basic 9-1-1 (**EXHIBIT 11**). Ms. Berger asked the ETIC to consider a draft bill to extend the sunset provision on wireless 9-1-1 (**EXHIBIT 12**). She reviewed the provisions of the bill draft and noted that the bill has been assigned to the State Administration and Veterans' Affairs Interim Committee as a part of the Department of Administration's legislative package. Ms. Berger also discussed a handout regarding text messaging to 9-1-1 (**EXHIBIT 13**). She said that Montana does not have that capability right now and that it is important that citizens realize that. Ms. Berger discussed additional activities of the 9-1-1 Advisory Council.

Public Comment

03:08:31 **Sheryl Wood, Montana Association of Counties (MACo)**, said that MACo supports the bill draft to extend the sunset period for wireless 9-1-1.

Committee Questions

03:09:28 SEN. LARSEN asked about the availability of 9-1-1 cell phone service on four of Montana's reservations, as well as several nearby communities. Ms. Berger said that most of those areas are at different stages of building wireless service and that addressing issues on the reservations is one of the reasons why deployment has been delayed. She said she expects the situation to be resolved soon. REP. ANKNEY noted that much of southeastern Montana is without cell coverage.

WRAP UP ENERGY POLICY DISCUSSION

■ Update on EQC Biomass Study

03:13:34 Ms. Nowakowski reviewed a letter from the Environmental Quality Council (EQC) to the ETIC discussing the biomass study (**EXHIBIT 14**). She also distributed a summary of EQC's draft findings and recommendations (**EXHIBIT 15**).

Committee questions

03:21:26 SEN. LARSEN asked if the biomass study resulted from a study bill assigned to the EQC or if the EQC chose to study the topic. Ms. Nowakowski said the study resulted from the EQC's climate change study resolution. Mr. Everts said it was assigned to the EQC by the Legislative Council.

03:22:49 SEN. ERICKSON asked Ms. Nowakowski to summarize the discussion points from EQC meetings that resulted in the idea of separating renewable energy requirements from energy credits, including who provided testimony to the Council. Ms. Nowakowski said that the wind industry was not present, nor were other renewable energy generators. She said that NorthWestern Energy (NWE) testified, as did Public Service Commission Chair Jergeson. She said that most of the discussion was generated by EQC members. She said that a motion was made to pursue a bill draft and that it was largely based on NWE testimony. SEN. ERICKSON recalled that during the 2009 legislative session, wind energy and NWE were on opposite sides of this issue and he said it concerned him that the wind industry did not testify.

- 03:25:53 Mr. Everts said that when the EQC made the motion, it was also considering what it meant for biomass and for incentives for generators by separating out the credit. He said the motion was intended to generate public comment and that the EQC wants to hear from all stakeholders.
- 03:27:18 SEN. ERICKSON asked about biochar. Ms. Nowakowski said that the EQC had two presentations on biochar and advanced technology for biochar and that staff also provided information in an EQC report; and that all of the information is available on the EQC's webpage. She offered to provide copies of all of the information to ETIC members. SEN. ERICKSON commented that many questions remain on biomass and biochar, and requested that Ms. Nowakowski provide ETIC members with the EQC's full report.
- 03:31:05 SEN. JACKSON asked if the EQC studied all of the alternative energy incentives as part of the process. Ms. Nowakowski said the Council looked at only the alternative energy incentives that applied to the biomass study. She said that the biomass study resolution had specific requirements and that the EQC stayed within those requirements.
- 03:34:09 SEN. JACKSON said he is very interested in the financial aspect of biomass. he asked what information, if any, is available on cost and feasibility. Ms. Nowakowski said that the Council spent a great of time examining cost and feasibility, and the information is included in the draft report that will be provided to the ETIC members.
- 03:36:07 The ETIC discussed the expense of mailing paper documents to committee members. It was noted that most, if not all, meeting materials are available electronically on the committee's website. It was agreed that members could opt out of hard copy mailings and that in the future, hard copies of public comment would not be mailed out unless requested.
- 03:42:14 REP. DRISCOLL recessed the ETIC for a lunch break until 1 p.m.

HYDROELECTRIC POWER IN MONTANA

■ Turnbull Hydroelectric Project

- 05:00:04 **Ted Sorenson, Turnbull Hydroelectric project**, discussed new hydroelectric power in Montana utilizing existing dam and irrigation system drops (**EXHIBIT 16**). Mr. Sorenson's main discussion points included: avoided cost rates at PSC, interconnection, taxes, and water rights.
- 05:15:27 SEN. ERICKSON noted that Oregon's tax credit is 30% and asked how much a typical project would cost to build. Mr. Sorenson said between \$7.5 and \$10.0 million.
- 05:16:23 SEN. BLACK asked a if hydro project will be built at Gibson Dam. Mr. Sorenson said that project fell through because he could not find a market for that project. He said that another group is applying for a license for it.

- 05:17:19 SEN. LARSEN asked Mr. Sorenson if he has an inventory of dams in Montana with potential for hydropower generation capability, and if there was, at one time, a dam on the Yellowstone River that had generation capability. Mr. Sorenson said he doesn't have an inventory of dams with potential and that he is not aware of a dam on the Yellowstone River.
- 05:19:25 REP. ANKNEY asked if Mr. Sorenson has looked at the Tongue River dam. Mr. Sorenson said no. REP. ANKNEY said it is a state-owned dam and has had several upgrades. He said he thought it would be a good opportunity. Mr. Sorenson explained the importance of "drop" and said there must be a minimum drop of 20 feet before a project is economically feasible. He noted that Idaho's market is more favorable than Montana's, and suggested that Montana may want to consider strengthening its incentives.
- 05:21:49 SEN. BLACK asked if siphons in the St. Mary's River would be suitable for a hydro project. Mr. Sorenson said siphons can work under certain circumstances.
- 05:23:21 REP. DRISCOLL asked if Mr. Sorenson employs Montana contractors and workers on his projects. Mr. Sorenson said yes, to the extent possible. He said that using local businesses and products has helped him keep his costs down.
- **Avista**
- 05:26:38 **Neil Colwell, Avista Corporation**, gave an overview of the Avista Corporation including operations in multiple states, revenues, assets, generating capacity, and customer base. He discussed large hydro facilities, including the relicensing process, which he said is very rigorous. He said that Avista owns Montana's largest hydro project, located on the Clark River, and which consists of two dams (Noxon Rapids and Cabinet Gorge) (**EXHIBIT 17**).
- **Bonneville Power Administration (BPA)**
- 05:46:45 **Gail Kuntz, Helena BPA office**, discussed a PowerPoint overview of BPA's operations, including its Montana facilities (Hungry Horse and Libby projects) (**EXHIBIT 18**). Ms. Kuntz said that BPA has hydropower projects on Hungry Horse and Libby Dams. Ms. Kuntz also discussed wind integration in the context of what is going on in the hydro system.
- 05:56:11 **Mark Reller, BPA**, discussed BPA's upgrades to the system, fisheries obligations, and the Columbia River treaty.
- **PPL Montana**
- 06:10:46 **David Hoffman, Director, External Affairs, Montana**, briefly reviewed PPL Montana and then discussed the Rainbow Dam redevelopment project under construction near Great Falls (**EXHIBIT 19**).
- 06:24:57 Mr. Hoffman distributed copies of and discussed a proposed bill draft to revise the definition of "eligible renewable resource" to include hydroelectric facility expansions (**EXHIBIT 20**).

Public comment

06:28:24 No public comment was given.

Committee questions

06:28:34 SEN. ERICKSON asked Ms. Kuntz to discuss what BPA's production future looks like, considering that less power could be available due to climate change, changes in fisheries, and impacts from other water users. Ms. Kuntz said she could only comment in general terms but among the implications of climate change would be a pattern shift of less snow pack, earlier melt, rainfall; all of which would affect how the system could be operated. She said that BPA's strategic planning is considering these issues. SEN. ERICKSON asked Mr. Reller to discuss the coming changes from Canada and if the fishery questions will compound the problem. Mr. Reller said there are many factors to consider but that the biggest factor will be the change in the timing of the water (earlier and potentially less spring runoff). He said adjustments will have to be made.

06:33:21 SEN. JACKSON asked Ms. Kuntz to discuss BPA's nuclear facility and if there are plans for additional nuclear facilities. Ms. Kuntz said that BPA's single nuclear facility generates about 1,000 MW and that there are no plans to add more nuclear power facilities. She noted that operation costs are a major consideration.

06:36:20 **Break** for ten minutes until 3 p.m.

06:57:42 **Back to order** at 3 p.m.

STATUTORY DUTIES: PSC AGENCY OVERVIEW AND LEGISLATIVE PROPOSALS

■ **Introduction**

06:57:51 Mr. Everts explained the rationale for and process of approving agency bill drafts for drafting.

■ **Administrative Update**

07:01:12 **Ken Toole, Commissioner and Vice Chair, PSC**, distributed copies of an article he wrote regarding the St. Mary's Project, as discussed earlier by SEN. BLACK and Mr. Sorenson (**EXHIBIT 21**). He said he believes there is great potential for the project.

07:02:14 Commissioner Toole summarized the PCS's recent activities:

- NWE combined 2008 and 2009 electric supply tracker settled;
- QF1 docket case has been completed and the PSC presented three options to the QF that wishes to come in;
- heard the QF Kentfield wind park case;
- NWE general rate increase case in progress;
- NWE's 2010 electric procurement plan hearing in August;
- approved MDU's elective cost of service rate design and another rate case hearing is scheduled for September;
- a MDU resource plan hearing is scheduled for August;
- upcoming public hearings for CenturyLink's acquisition of Qwest; and

- reviewed the list of utilities and electric suppliers compliance filings under the renewable portfolio standards law and held a roundtable to discuss the national broadband plan.

Committee questions

07:10:00 SEN. ERICKSON referred to previous discussion about avoided costs (hydropower presentations) and the fact that Idaho is more favorable to small scale hydro than is Montana. He asked how the PSC goes about setting the avoided costs and if there has been discussion of raising it. Commissioner Toole said no. He said it is one of the most complicated issue the Commission works and has generated the most controversy and litigation that the Commission has had to deal with. SEN. ERICKSON and Commissioner Toole discussed the issue further.

■ **Proposed legislation**

07:15:52 Commissioner Toole reviewed the PSC's 2011 legislative proposals (**EXHIBIT 22**).

Committee questions

07:22:14 SEN. BLACK asked for status of Kentfield project. Commissioner Toole explained aspects of the docket and pending court action.

07:24:30 SEN. ERICKSON referred to the first legislative proposal (revise 69-3-603(2) to limit the ability of potential QFs to seek rates other than those provided for in tariff and to adjust the 120-day decision period.) and asked if the QFs have commented about the change. Commissioner Toole said he has not heard or seen comments yet. He predicted they would not like it but said the PSC needs the additional time to ensure that the right decision is made.

07:25:32 SEN. JACKSON referred to the second legislative proposal (revise 69-3-604(4) to conform to federal law and asked if the PSC has to do it and if so, how it has been doing it. Commissioner Toole said the PSC has to do it and that it is an effort to align state laws and to clear up contentious areas.

Public comment

07:27:36 **Mike Uda, attorney**, said that he specializes in the Public Utility Regulatory Policies Act (PURPA) of 1978. Mr. Uda said that Montana has not had a QF larger than 2 MW built since 1995. He said the ETIC needs to understand the seriousness of this and that the PSC has utterly failed to implement the law. Mr. Uda discussed his opposition to revising 69-3-603(2).

■ **Committee action requesting drafts for drafting purposes only**

07:47:36 SEN. ERICKSON asked Commissioner Toole respond. Commissioner Toole said that for each of Mr. Uda's points, the PSC has a counter point. He said there is no question in his mind that NWE has been very resistant to bringing in renewable energy, and that he would like to break that but that it must be done correctly, or the goal of getting the small projects into the rate base will not be attained.

- 07:51:07 **SEN. ERICKSON moved to segregate the first legislative proposal and to approve the others for drafting.**
- 07:51:50 REP. KLOCK asked what will happen to the segregated request. Mr. Everts said the PSC would have to find an individual legislator to introduce the bill and that it would not be at the request of the PSC.
- 07:52:47 SEN. LARSEN, SEN. ERICKSON, and Mr. Everts discussed the implications of approving agency legislation. Mr. Everts said that the ETIC, by approving an agency bill for drafting, is not endorsing the concept but simply moving a bill draft forward in the system. However, he said if the Committee has strong objections to a bill, it does not have to approve the bill for drafting.
- SEN. ERICKSON's motion passed on unanimous voice vote, Rep. Belcourt voted yes by proxy (Driscoll). REP. ANKNEY was not present for the vote.**
- 07:56:20 **REP. KLOCK moved to approve legislation proposed by the 9-1-1 Advisory Council (to extend the sunset for wireless 9-1-1 funding - EXHIBIT 12). The motion passed on a unanimous voice vote.**
- 07:57:09 The ETIC discussed the legislative proposed by Mr. Hoffman, PPL (EXHIBIT 20)
- 08:05:47 Ms. Nowakowski noted that the 9-1-1 bill will go out for public comment and that the Committee can take final action at its September meeting. REP. KLOCK said that he would carry the bill.

PUBLIC COMMENTS ON MATTERS WITHIN THE JURISDICTION OF THE ETIC

No public comment was given.

- 08:06:26 SEN. LARSEN distributed copies of his version of LC6000 - revising Montana's energy policy. He asked the members to review it and said he would discuss it at the next day's meeting.
- 08:08:05 Ms. Nowakowski said that Geoff Feiss, MTA, had provided a draft letter to the FCC regarding the federal broadband for the committee to review (**EXHIBIT 23**).
- 08:08:39 SEN. ERICKSON asked that the committee members also review the public comment received, particularly from the Department of Natural Resources and Conservation (DNRC).
- 08:11:56 REP. DRISCOLL recessed the ETIC until 8:00 a.m., Thursday, July 29, 2010.

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